

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

RONALD KRZYZANOWSKI AND  
ILEANA KRZYZANOWSKI, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

vs.

ORKIN EXTERMINATING COMPANY,  
INC.; ROLLINS, INC.

Defendants.

Case No. 3:07-cv-05362-SBA (EDL)

**ORDER ON JOINT STIPULATION  
REGARDING RESPONSIVE  
PLEADING DEADLINE FOR THIRD  
AMENDED COMPLAINT**

Having considered the parties' Joint Stipulation Regarding Pleading Deadline for Third Amended Complaint, this Court orders as follows:

1) The Third Amended Complaint is deemed filed on May 15, 2009, without the necessity of filing of a motion for leave to amend;

2) The addition of a new plaintiff in the Third Amended Complaint does not require any changes in the current schedule;

3) Defendants' Motion to Dismiss Count IV and Motion for Summary Judgment on Count V of Plaintiffs' Second Amended Complaint (Doc. 150, 151) is mooted by Plaintiffs' filing of a Third Amended Complaint;

4) Defendants will respond to the Third Amended Complaint on or before June 9, 2009;

1           5)     Plaintiffs will respond to any motion directed at the Third Amended  
2 Complaint by June 18, 2009;

3  
4           6)     Defendants will file any reply in support of any motion directed at  
5 the Third Amended Complaint by June 25, 2009.

6  
7 Dated: 6/5/09

  
\_\_\_\_\_  
HON. SANDRA B. ARMSTRONG  
U.S. District Court Judge

8  
9  
10  
11  
12 CH1 4710213v.1